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9
10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 TALCOTT RESOLUTION LIFE AND
ANNUITY COMPANY

13 Plaintiff

14 v.

15 ESTATE OF JILL COTE, JESSICA
16 SHEARER, JOIANNE MADRID AND
DAVID COTE

17 Defendants.
18

Case No.: 2:18-cv-01688

STIPULATION TO WITHDRAW
DAVID COTE'S MOTION TO
DISMISS FILED NOVEMBER 7, 2018

19 Defendant David Cote, Defendant Jessica Shearer, and Plaintiff Talcott Resolution Life and
20 Annuity Company (collectively the "Parties"), by and through their counsel undersigned, hereby
21 stipulate and agree that:

- 22 1. Based on the entry of a Stipulation and Order in the Nevada State Court Case No. P-17-
23 092970-E between David Cote, Jessica Shearer, and the Estate of Jill Cote, David Cote
24 hereby withdraws his Motion to Dismiss Talcott Resolution's Complaint in Interpleader
25 ("Motion to Dismiss") as moot, which Motion to Dismiss was filed November 7, 2018.
26 2. The Parties agree that the parties shall bear their own attorney's fees related to any
27 briefing specific to the Motion to Dismiss; Nothing in this paragraph is intended to limit
28 Talcott's ability to seek its fees relating to the interpleader.

1 3. The Parties agree that David Cote shall file an answer and any cross claims or
2 counterclaims to Talcott Resolution's Complaint in Interpleader on or before January 10,
3 2019.

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5 RESPECTFULLY SUBMITTED this 9th day of January 2019.

6 ANTHONY L. BARNEY, LTD.

7 By: /s/Zachary D. Holyoak
8 Anthony L. Barney
9 Tiffany S. Barney
10 Zachary D. Holyoak
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13 *Attorneys for Defendant David Cote*

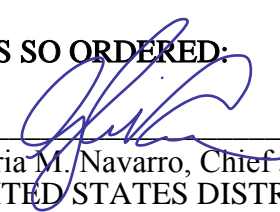
14 OGLETREE, DEAKINS, NASH,
15 SMOAK & STEWART, P.C.

16 By: /s/Kristina N. Holmstrom
17 Kristina N. Holmstrom
18 3800 Howard Hughes Parkway, Suite 1500
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20 *Attorneys for Plaintiff Talcott Resolution Life*
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22 JOHNSON & GUBLER, P.C.

23 By: /s/Russell G. Gubler
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26 8831 W. Sahara Avenue
27 Las Vegas, Nevada 89117
28 *Attorney for Jessica Shearer*

IT IS SO ORDERED:


Gloria M. Navarro, Chief Judge
UNITED STATES DISTRICT COURT

DATED this 10 day of January, 2019.

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